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Attorneys for Defendant
AMERICAN FAMILY LIFE ASSURANCE
COMPANY OF COLUMBUS (Aflac) erroneously
named and sued herein as AMERICAN FAMILY
LIFE ASSURANCE OF COLUMBUS

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Attorneys for Plaintiff
SHIRLEY RIVERS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHIRLEY RIVERS,

Plaintiff,

vs.

AMERICAN LIFE ASSURANCE OF
COLUMBUS; and DOES 1 through
100, inclusive,

Defendants.

Case No. CV 05-03167 CW (JL)

ORDER GRANTING STIPULATION
TO CONTINUE COURT-
CONNECTED MEDIATION
COMPLETION DATE

TO THE HONORABLE CLAUDIA WILKEN, UNITED STATES
DISTRICT JUDGE:

IT IS STIPULATED by and between Plaintiff Shirley Rivers ("Plaintiff")
and Defendant American Family Life Assurance Company of Columbus (Aflac)
("Defendant") (collectively the "parties"), through their respective counsels of

1 record, that the last day to conduct court-connected mediation be continued from
2 February 28, 2006, to April 30, 2006.

3 This Stipulation is based on the following:

4 1. Pursuant to the December 13, 2005 Scheduling Order, the parties were
5 ordered to complete their court-connected mediation by or before February 28,
6 2006 (or as soon thereafter as the mediator's schedule permits).

7 2. The parties agreed that before a mediation is conducted, Defendant
8 was entitled to receive and would need to review Plaintiff's medical records so that
9 Defendant could evaluate whether Plaintiff's claim should be paid. Plaintiff agreed
10 to secure these records for Defendant's review.

11 3. On or about January 16, 2006, Plaintiff requested the medical records
12 from various medical providers, including Kaiser Permanente Hospital. On or
13 about January 20, 2006, Plaintiff was informed that it would take Kaiser
14 Permanente Hospital approximately 5 weeks to produce its records, which is
15 approximately 3 days before February 28, 2006, the mediation completion date.

16 4. In late January 2006, Plaintiff was hospitalized at Kaiser Permanente
17 Hospital for congestive heart failure. Plaintiff has been released from the hospital
18 and is now recuperating. However, it is unclear whether Plaintiff will be physically
19 able to attend a mediation before February 28, 2006.

20 5. Defendant wanted to take Plaintiff's deposition before the mediation
21 but after it had an opportunity to review Plaintiff's medical records. Due to
22 Plaintiff's medical condition and the delay with Kaiser's records, Defendant was
23 unable to schedule the deposition before the mediation completion cut-off date.
24 Plaintiff's deposition has now been set for March 23, 2006.

25 6. Given the delays in Kaiser's ability to provide Plaintiff's medical
26 records as well as Plaintiff's medical condition and the delay in taking Plaintiff's
27 deposition, the parties and the mediator agreed to hold the mediation on April 6,
28 2006, at 10:00 a.m. The April 6, 2006 date gives the parties sufficient time to

1 secure and review the relevant medical records.

2 7. Based on the foregoing, the parties request that the court-connected
3 mediation completion date be continued to April 30, 2006.

4 Dated: February 14, 2006

5 Respectfully submitted,
6 MANATT, PHELPS & PHILLIPS, LLP
7 MARGARET LEVY
8 S. NANCY WHANG

9 By: /s/ S. Nancy Whang

10 S. NANCY WHANG
11 Attorneys for Defendant
12 AMERICAN FAMILY LIFE ASSURANCE
13 COMPANY OF COLUMBUS (AFLAC)

14 Dated: February 14, 2006

15 Respectfully submitted,
16 LAW OFFICES OF LAURENCE F.
17 PADWAY

18 By: /s/ Laurence F. Padway

19 LAURENCE F. PADWAY
20 Attorneys for Plaintiff
21 SHIRLEY RIVERS

22 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B)*
23 *regarding signatures, S. Nancy Whang hereby attests that concurrence in the filing*
24 *of this document has been obtained.*

25 ORDER

26 IT IS ORDERED:

27 Dated: 2/22/06

28 /s/ CLAUDIA WILKEN

Claudia Wilken
United States District Judge